	Application No.	Applicant(s)	\
	10/712,044	DAMMANN ET AL.	
Notice of Allowability	Examiner	Art Unit	
	Robert Sellers	1712	
The MAILING DATE of this communication appearance All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	blication. If not include will be mailed in due	ed course. THIS
1. This communication is responsive to <u>20 October 2005</u> .			
2. The allowed claim(s) is/are <u>1, 3-11,14-28,43,44 and 54</u> .			
 3. Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 	been received.		
3. Copies of the certified copies of the priority do			ion from the
International Bureau (PCT Rule 17.2(a)).			
* Certified copies not received:			-
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file a reply of this application.	complying with the rec	uirements
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give			OTICE OF
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.			
(a) I including changes required by the Notice of Draftspers		948) attached	
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date			
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	s Amendment / Comment or in the O	ffice action of	
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).			
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.			
Attachment(s)			
1. Notice of References Cited (PTO-892)	5. Notice of Informal P)-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ⊠ Interview Summary Paper No./Mail Dat		
3. Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date		nent/Comment	
4. Examiner's Comment Regarding Requirement for Deposit	8. X Examiner's Stateme	nt of Reasons for Allo	wance
of Biological Material	9.		
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An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John A. Evans on October 31, 2005.

The application has been amended as follows:

Claim 1, line 3, after "reaction product" insert --having residual pendant unsaturated acrylate groups formed from a multifunctional acrylate Michael acceptor and a β-dicarbonyl Michael donor--.

Claims 3-5, 26, 43 and 54, change the dependency from claim "2" to claim --1--.

Cancel claim 2.

The following is an examiner's statement of reasons for allowance:

The modifications to claims 3, 5 and 16-18 set forth in the amendment filed October 20, 2005 overcomes the 35 U.S.C. 112, second paragraph, rejection.

The newly limited Michael addition reaction product formed from a multifunctional acrylate Michael acceptor and a β-dicarbonyl Michael donor overcomes the 35 U.S.C. 102(b) rejection over Japanese Patent No. 11-92546 because the reaction of the reference involving a polyacrylate and an amino compound involves a different mechanism wherein the acrylate groups of the polyacrylate are reacted with the

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amino groups of the amino compound which yields a structurally distinct adduct from that claimed.

The claimed Michael addition product newly confined to the presence of residual pendant unsaturated acrylate groups as supported in the specification on page 9, paragraph 42, lines 1-2 is not recited in Heidt et al. Patent No. 5,667,901 which depicts the complete consumption of the acrylate groups with the acetoacetate. Since the uncrosslinked Michael addition product of Heidt et al. does not contain the claimed unreacted acrylate groups, there is no impetus to incorporate a Michael addition product possessing unreacted acrylate groups into the formulation of Tominaga et al. Patent No. 5,218,018.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Sellers whose telephone number is (571) 272-1093. The examiner can normally be reached on Monday to Friday from 9:30 to 6:00. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

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10/31/2005

ROBERT E.L. SELLERS PRIMARY EXAMINER